

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

THOMAS M. JAMES, )  
                        )  
Plaintiff,           )  
                        )  
v.                    ) Cause No.: 1:13-cv-00541-WTL-TAB  
                        )  
LORENZO ELI, M.D., and )  
NICHOLAS P. VILLANUSTRE, M.D. )  
                        )  
Defendants.          )

**DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Defendant, Lorenzo Eli, M.D., by counsel and pursuant to Rule 56 of the Federal Rules of Civil Procedure, respectfully moves the Court for summary judgment in his favor for the reasons set forth in the accompanying memorandum. Defendant submits that, based upon the Affidavit and Evidence filed herewith, there are no material issues of fact and he is entitled to judgment as a matter of law. Judgment for Dr. Eli is required because the record does not establish that he was deliberately indifferent to the medical needs of Thomas James. To the contrary, the record establishes that Dr. Eli provided appropriate care for Plaintiff's medical needs by ordering cultures, prescribing antibiotics, and referring Plaintiff to the foot doctor for his infected toenail, and by referring Plaintiff to Wishard Hospital for evaluation and care of his broken jaw.

WHEREFORE, Defendant, Dr. Eli, requests that this Court grant summary judgment in his favor and for all other appropriate relief.

Respectfully submitted,

/s/Jeb A. Crandall

Jeb A. Crandall, #26323-49

Attorney for Lorenzo Eli, M.D.

Jeb A. Crandall, #26323-49  
Bleek Dillon Crandall, P.C.  
8470 Allison Pointe Boulevard, Suite 420  
Indianapolis, Indiana 46250-4365  
(317) 567-2222  
Fax: (317) 567-2220  
[jeb@bleekdilloncrandall.com](mailto:jeb@bleekdilloncrandall.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on October 22, 2014, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Gerald B. Coleman  
Coleman Stevenson Montel, LLP  
9101 Wesleyan Road  
Suite 100  
Indianapolis, Indiana 46268  
[gcoleman@csmlegal.com](mailto:gcoleman@csmlegal.com)

I hereby certify that on October 22, 2014, a copy of the foregoing was mailed, by first class mail U.S. Mail, postage prepaid and properly addressed to the following:

Thomas M. James #98106  
Arizona State Prison  
ASPC-DOUGLAS  
Moshauke North  
P.O. Box 5002  
Douglas, AZ 85608

/s/Jeb A. Crandall